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Application No.: 10/769,813  
Art Unit 2627

Attorney Docket No. 1630-0455PUS1  
Reply to Office Action dated May 9, 2008  
Page 2

**AMENDMENTS TO THE CLAIMS**

1. (Previously Presented) A method for determining the type of an optical disk loaded into an optical disk device, comprising the steps of:
  - a) detecting a level of a wobble extraction signal while a focusing servo is turned on but before a focusing servo adjustment has been completed;
  - b) determining a type of a loaded optical disk based on the detected signal level; and
  - c) performing a tracking servo adjustment operation according to the determined optical disk type.
2. (Original) The method according to claim 1, wherein the level of the wobble extraction signal is detected while a tracking servo is turned off.
3. (Original) The method according to claim 1, wherein the detected level of the wobble extraction signal for a disk for recording is higher than that of a disk for reproducing.
4. (Original) The method according to claim 3, further comprising the step of:
  - d) performing an adjustment operation in a recording mode when the determined optical disk type is a recordable disk type.
5. (Original) The method according to claim 1, wherein said step c) includes the steps of:
  - c-1) selecting a tracking servo scheme according to the determined optical disk type; and

EHC/RJW/jmc

Application No.: 10/769,813  
Art Unit 2627

Attorney Docket No. 1630-0455PUS1  
Reply to Office Action dated May 9, 2008  
Page 3

c-2) adjusting the tracking servo in the selected tracking servo scheme.

6. (Original) The method according to claim 5, wherein the selected tracking servo scheme is a 3-beam or DPD scheme for a disk for reproducing, and a DPP scheme for a disk for recording.

7. (Previously Presented) An apparatus for determining the type of an optical disk loaded into an optical disk device, comprising:

a servo means for performing a focusing and tracking servo adjustment operation on an optical pickup means;

a level detection means for detecting a level of a wobble extraction signal produced from a signal detected by the optical pickup means while a focusing servo in the servo means is turned on but before a focusing servo adjustment has been completed; and

a control means for determining the type of the optical disk based on the detected level, and controlling the servo means to perform a tracking servo adjustment operation according to the determined result.

8. (Original) The apparatus according to claim 7, wherein the level detection means detects the level of the wobble extraction signal while the tracking servo is turned off.

9. (Original) The apparatus according to claim 7, wherein the control means performs an

EHC/RJW/jmc

Application No.: 10/769,813  
Art Unit 2627

Attorney Docket No. 1630-0455PUS1  
Reply to Office Action dated May 9, 2008  
Page 4

adjustment operation in a recording mode when the determined optical disk type is a recordable disk type.

10. (Original) The apparatus according to claim 7, wherein the control means selects a tracking servo scheme according to the determined optical disk type.

11. (Original) The apparatus according to claim 10, wherein the selected tracking servo scheme is a 3-beam or DPD scheme for a disk for reproducing, and a DPP scheme for a disk for recording.

12-13. (Canceled)

14. (New) A method for determining the type of an optical disk that is loaded into an optical disk device, comprising:

- loading the optical disk into the optical disk device;
- determining initially a type of the loaded optical disk;
- activating a focusing servo based on the initial determination result;
- detecting a level of a wobble extraction signal while the focusing servo is activated and a tracking servo is turned off;
- determining finally the type of the loaded optical disk based on the detected wobble extraction signal level; and

EHC/RJW/jmc

Application No.: 10/769,813  
Art Unit 2627

Attorney Docket No. 1630-0455PUS1  
Reply to Office Action dated May 9, 2008  
Page 5

performing a tracking servo adjustment operation according to the finally determined type of the loaded optical disk.

15. (New) An apparatus for determining the type of an optical disk loaded into an optical disk device, comprising:

- means for loading the optical disk into the optical disk device;
- means for determining initially a type of the loaded optical disk;
- means for activating a focusing servo based on the initial determination;
- means for detecting a level of a wobble extraction signal while the focusing servo is activated and a tracking servo is turned off;
- means for determining finally the type of the loaded optical disk based on the detected wobble extraction signal level; and
- means for performing a tracking servo adjustment operation according to the finally determined type of the optical disk.

16. (New) The method according to claim 1, wherein the wobble extraction signal is an absolute time frequency modulation (ATFM) signal.

17. (New) The apparatus according to claim 7, wherein the wobble extraction signal is an absolute time frequency modulation (ATFM) signal.

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